

REMARKS

Claims 5, 9, 12, 18 and 28-30 have been canceled. Thus, Claims 1-4, 6-8, 10, 11, 13-17 and 19-27 remain pending in the application. Claims 1, 7, 8, 10, 11, 14, 22, 25 and 26 have been amended, as shown above. These amendments are respectfully submitted to not introduce new matter and their entry is respectfully requested.

Claims 1-30 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Farrell et al. (U.S. Pat. No. 6,751,663). In light of the above amendments, Applicants respectfully traverse this rejection.

A cited prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. MPEP § 2131; *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). Anticipation is only shown where each and every limitation of the claimed invention is found in a single cited prior art reference. MPEP § 2131; *In re Donohue*, 766 F.2d 531, 534, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985).

With respect to Claims 1- 21, Applicants respectfully submit that Farrell et al. does not teach (expressly or inherently) at least the following feature recited in amended independent Claims 1 and 14: “*for each destination address identified in the data flow statistics, correlating one of the data flow statistics corresponding to the destination address to each autonomous system included in the at least one selected autonomous system path corresponding to the destination address.*”

Farrell et al. recites a system for collecting data flow statistics from network entities and aggregating the data flow statistics for use by data consuming applications. (See Abstract, Figure 1, Col. 3, Lines 46-58; Col. 4, Lines 15-30; and Col. 5, Lines 5-49). Thus,

the system in Farrell et al. could be used in embodiments of the present invention to “collecting data flow statistics for at least one router,” as claimed in Claims 1 and 14. However, there is no teaching or suggestion in Farrell et al. of any specific implementation or usage of the data flow statistics. In particular, there is no teaching or suggestion in Farrell et al. that the collected and aggregated data flow statistics are used to determine autonomous system volume data by “*for each destination address identified in the data flow statistics, correlating one of the data flow statistics corresponding to the destination address to each autonomous system included in the at least one selected autonomous system path corresponding to the destination address,*” as now claimed in Claims 1 and 14 of the present application.

With respect to Claims 22-24, Applicants respectfully submit that Farrell et al. does not teach (expressly or inherently) at least the following feature recited in amended independent Claim 22: “*identifying a first selected autonomous system path in a routing information base over which said first data flow is routed; and for each autonomous system in the first selected autonomous system path, incrementing a counter by an amount indicating the first volume.*”

Although Farrell et al. does discuss specifying an accountable entity, such as an autonomous system number, for a particular Network Accounting Activity Record (NAR) containing aggregated data flow statistics (Col. 14, Lines 11-20), there is no teaching or suggestion in Farrell et al. of any specific mechanism of identifying an autonomous system path over which a data flow is routed, and then incrementing a counter for each autonomous system in that path. The accountable entities in Farrell et al. are merely used as a “label” for a particular NAR, much as one would label files within a filing system.

In addition, although Farrell et al. does discuss using counters to count packets, there is no teaching or suggestion in Farrell et al. of any functionality for identifying an autonomous system path for a particular data flow, and once the autonomous system path is identified, incrementing counters for each autonomous system in that path. By contrast, Farrell et al. provides counters at each network device interface that counts packets on a real-time basis without knowledge of the complete autonomous system path.

With respect to Claims 25-27, Applicants respectfully submit that Farrell et al. does not teach (expressly or inherently) at least the following feature recited in amended independent Claim 25: *“identifying a first selected autonomous system path in a routing information base over which said first data flow is routed; and for each autonomous system in a first synthetic autonomous system path constructed using the at least one first selected autonomous system path, incrementing a counter by an amount indicating the first volume.”*

Applicants note that Farrell et al. does not teach or suggest a “synthetic” autonomous system path constructed from an actual selected autonomous system path. Likewise, Farrell et al. does not teach or suggest incrementing counters for each autonomous system in the synthetic autonomous system path.

For at least these reasons, Farrell et al. fails to anticipate Applicants’ invention as recited in Claims 1, 14, 22 and 25 (and their dependents). Accordingly, Applicants respectfully request that the Examiner withdraw the § 102 rejection of Claims 1-4, 6-8, 10, 11, 13-17 and 19-27. Claims 5, 9, 12, 18 and 28-30 have been canceled, thus rendering the rejection of these claims moot.

CONCLUSION

Thus, all grounds of rejection and/or objection are traversed or accommodated, and favorable reconsideration and allowance are respectfully requested. Should the Examiner have any further questions or comments facilitating allowance, the Examiner is invited to contact Applicant's representative indicated below to further prosecution of this application to allowance and issuance.

Respectfully submitted,

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